IN THE CLAIMS:

Please substitute and enter the following **clean** version of each of the following rewritten replacement claims 1, 4, 6, 7, 8, 10, 12, 14 and 16 for the respective pending claims of the same numbers. Versions of these rewritten claims, with bracketing and underlining to show the changes, appear at the end of the REMARKS section below.

1. (amended) A rotary hammer, which comprises:

an intermediate shaft (24) which is rotatably driven by a motor of the rotary hammer when power is supplied to the motor;

a spindle (18) which can be driven in rotation about its axis by the intermediate shaft 24 through a spindle drive arrangement (62,64);

a tool holder (16) arranged for rotation with the spindle (18) for releasably holding a bit or a tool such that the bit or tool can reciprocate;

a pneumatic hammering arrangement (20,21,22) located within the spindle (18) which can repeatedly impact the bit or tool held within the tool holder (16);

said pneumatic hammering arrangement comprising a piston (20) which can be reciprocally driven by a hammer drive arrangement (34,36,38,39,40,42) which can translate rotary drive from the intermediate shaft (24) to a reciprocating drive to the piston (20); and

a mode change mechanism for changing the operation of the rotary hammer to operate in any of three modes, a rotary drive only mode, a hammer only mode or a rotary hammer mode;

said mode change mechanism comprising:

a single actuator (8) switchable by a user of the rotary hammer amongst the three modes of operation;

a spindle driving member (56) rotatable on the intermediate shaft (24) for driving the spindle drive arrangement (62,64);

a hammer driving sleeve (34) rotatable on the intermediate shaft (24) for driving the hammer drive arrangement (34,36,38,39,40,42); and

a mode change sleeve (52) which is permanently driven by and shiftable along the intermediate shaft (24);

where, upon the switching of the actuator (8) by a user, shifts the mode change sleeve (52) along the intermediate shaft (24) amongst the three modes positions, such that in a first rotary drive only position the mode change sleeve (52) transmits rotary drive to the spindle driving member (56) to transmit rotary drive to the spindle drive arrangement (62,64), in a second hammer only position the mode change sleeve (52) transmits rotary drive to the hammer driving sleeve (34) to transmit rotary drive to the hammer drive arrangement (34,36,38,39,40,42), and in a third rotary hammer position the mode change sleeve (52) transmits rotary drive to the spindle driving member (56) and to the hammer driving sleeve (34) to transmit rotary drive to the spindle drive arrangement (62,64) and to the hammer drive arrangement (34,36,38,39,40,42).

4. (amended) The rotary hammer according to claim 3, wherein a driven member (54) on the mode change sleeve (52) which engages a driving member (50) on the intermediate shaft (24) is axially extended to form the driving member (54) of the mode change sleeve (52) which is engageable with the driven member (48) on the hammer drive sleeve (34).

6. (amended) The rotary hammer according to claim 5, wherein a driven member (54) of the mode change sleeve (52) which engages a driving member (50) of the intermediate shaft (24) is axially extended to form the driving member (54) which is engageable with the driven member (58) on the spindle drive sleeve (56).

7. (amended) The rotary hammer according to claim 1, which further comprises:

a driven member (48) on the hammer drive sleeve (34);

a driving member (54) on the mode change sleeve (52);

a driven member (58) on the spindle drive member (56);

the hammer drive sleeve (34) is located towards the rear of the mode change sleeve (52) and the driven member is engageable with the driving member (54) to transmit rotary drive from the intermediate shaft (24) to the hammer drive sleeve (34);

the spindle drive member (56) is located towards the front of the mode change sleeve (52) and the driven member (58) is engageable with the driving member (54) to transmit rotary drive from the intermediate shaft (24) to the spindle drive member (56); and

the mode change mechanism is arranged such that in a first rotary drive only position the mode change sleeve (52) is shifted to a forward position on the intermediate shaft (24) to transmit rotary drive to spindle driving member (56) through the driving member (54) and the driven member 58, in a second hammer only position the mode change sleeve (52) is shifted to a rearward position on the intermediate shaft (24) to transmit rotary drive to the hammer driving sleeve (34) through the driving member (54) and the driven member (48), and in a third rotary hammer position the mode change sleeve (52) is shifted to an intermediate position on the intermediate shaft (24) between the forward and rearward positions and transmits rotary drive to the spindle driving member (56) through the driving member (54) and the driven member (58) and transmits rotary drive to the hammer driving sleeve (34) through the driving member (54) and the driven member (48).

8. (amended) The rotary hammer according to claim 1, which further comprises:

a mode changing member (68); and

wherein the switching of the single actuator (8) shifts the mode change sleeve (52) through the mode change member (68).

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10. (amended) The rotary hammer according to claim 8, which further comprises:

a mode change arm (72) on the mode change member (68); and

wherein the mode change arm (72) extends laterally of the mode change member (68) with the arm (72) surrounding at least a part of the mode change sleeve (52) and is connected to the mode change sleeve (52) such that shifting of the mode change member (68) shifts the mode change sleeve (52) through the mode change arm (72) amongst the three mode positions.

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~~12~~. (amended) The rotary hammer according to claim 1, which further comprises:

a mode change member (68);

a mode change arm (72) on the mode change member (68);

a biasing arrangement (76,78), which comprises:

a first spring member (76); and

a second spring member (78);

wherein the mode change arm (72) extends laterally of the mode change member (68) and at least partly surrounds a part of the mode change sleeve (52) and is connected to the mode change sleeve (52) such that shifting of the mode change member (68) shifts the mode change sleeve (52) through the mode change arm (72) amongst its three positions;

the biasing arrangement (76,78) located between the actuator (8) and the mode change sleeve (52) in order to bias the mode change sleeve (52) towards the position on the intermediate shaft (24) which corresponds to the position to which the actuator (8) is switched; and

the first spring member (76) located between a forward end of the mode change sleeve (52) and a forward facing part of the mode change arm (72) and the second spring member (78) located between a rearward end of the mode change sleeve (52) and a rearward facing part of the mode change arm (72).

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15 14. (amended) The rotary hammer according to claim 13, which further comprises:

a mode change member (68);

the spindle lock (70) comprising:

a first locking member (70); and

a second locking member (62,64); and

wherein the switching of the single actuator (8) shifts the mode change sleeve (52) through the mode change member (68) and the first locking member (70) is located on the mode change member (68) and engages the second locking member (62,64) located on the spindle (18) when the mode change member (68) is shifted to a hammer only mode position to lock the spindle (18) against rotation.

16. (amended) The rotary hammer according to claim 1, which further comprises:

the pneumatic hammering arrangement comprising:

a ram (21);

a reciprocally driven piston (20) which is reciprocally drives the ram (21) through a closed air cushion; and

an anvil (22) which is repeatedly impacted by the ram (21) and, in turn, impacts the bit or tool held in the tool holder (16).

IN THE DRAWINGS:

Two sheets of the drawings, which include Figs. 1 and 4a, are attached hereto, and show proposed changes in red in each of these figures. In Fig. 1, one of two occurrences of the numeral "72" is replaced by the numeral "74," and, in Fig. 4a, a prime symbol is added to the numeral "56."

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